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February 24, 2025

VIA ECF

Hon. John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

The request is granted. Plaintiffs' application for injunctive relief is denied without prejudice. The hearing scheduled for February 25, 2025, is adjourned *sine die*.

SO ORDERED
February 25, 2025
New York, New York



JOHN P. CRONAN
United States District Judge

Re: ***Trustees of the Fulton Fish Market Pension Fund, et al.***
v. Caleb Haley & Co., LLC et al, 25 CV 1176 (JPC)

Dear Judge Cronan:

This firm represents the Plaintiffs in the above-referenced action. We write to respectfully withdraw the application for a temporary restraining order and injunctive relief. *See* ECF Doc. Nos. 5-9.

Plaintiffs commenced this action on February 10, 2025, pursuant to Sections 404, 406, 409, 502(a)(3), 502(g)(2), and 515, of the Employee Retirement Income Security Act, as amended, (“ERISA”), 29 U.S.C. §§ 1104, 1106, 1109, 1132(a)(3), 1132(g)(2), and 1145 and Section 301 of the Labor Management Relations Act (“LMRA”), to recover *inter alia* delinquent employer contributions and to hold Defendant Kwang Ok An (“Kwang”) jointly and severally liable for breach of fiduciary duty. *See* ECF Doc. No. 1. Simultaneously with the filing of the Complaint, Plaintiffs filed an application for a temporary restraining order and injunctive relief against Defendant Caleb Haley & Co., LLC and Defendant Kwang. *See* ECF Doc. Nos. 5-9. On February 24, 2025, Plaintiffs withdrew their request for injunctive relief against Defendant Kwang. *See* ECF Doc. No. 18.

The parties have reached an agreement-in-principle which would resolve this matter in its entirety. Accordingly, Plaintiffs respectfully withdraw their application for a temporary restraining order and injunctive relief without prejudice as against Defendant Caleb Haley and respectfully request that the hearing scheduled for February 25, 2025 at 10 a.m. be cancelled.

We thank the Court for its attention to this matter.



Respectfully submitted,

/s/Adrianna R. Grancio

Adrianna R. Grancio, Esq.

Cc: Caleb Haley & Co., LLC (*via email¹ and overnight mail*)
Kwang Ok An (*via email and overnight mail*)

¹ Plaintiffs will be providing a copy of this correspondence to Hyung (James) S. Kim, Esq. Mr. Kim has advised the undersigned that, while he does not represent the Defendants in connection with the pending TRO application and complaint, he does represent them for settlement purposes.